



ELECTRONICALLY FILED  
3/6/2017 2:22 PM  
58-CV-2016-901060.00  
CIRCUIT COURT OF  
SHELBY COUNTY, ALABAMA  
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

DEUTSCHE BANK NATIONAL TRUST )  
COMPANY, AS TRUSTEE FOR HOLDERS OF )  
THE HARBORVIEW 2004-9 TRUST, )

Plaintiff, )

v. )

ROBERT S. HELMS, AND STEPHANIE S. )  
HELMS, )

Defendants. )



20170501000149090 1/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
05/01/2017 01:21:14 PM FILED/CERT

CIVIL ACTION NO. 2016-901060

**ORDER FOR DECLARATORY JUDGMENT**

This matter comes before this Court on the Complaint of Deutsche Bank National Trust Company, as Trustee for Holders of the Harborview 2004-9 Trust ("Plaintiff" of "Deutsche") for Declaratory Judgment concerning a piece of real property that is the subject of the Complaint and which has an address of 331 Grande Vista Circle, Chelsea, Alabama 35043 and more particularly described as follows:

Lot 45, according to the survey of High Chaparral, Sector 3, as recorded in Map Book 25, Page 83 A, B, and C, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

(the "Property").

Plaintiff and Defendants Robert S. Helms and Stephanie S. Helms having executed a consent to judgment on February 18, 2017, in which the Defendants consented to the relief sought in the Plaintiff's Complaint, this Court having considered the same and after determining there exists no reason for delay, it is therefore **ORDERED, ADJUDGED and DECREED** as follows:

(a) That Plaintiff's motion for entry of a final order is hereby **GRANTED**

20170501000149090 2/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
05/01/2017 01:21:14 PM FILED/CERT

(b) That the mortgage executed by Robert S. Helms and Stephanie S. Helms (the "Helmses") in the amount of \$290,000.00, in favor of Mortgage Electronic Registration Systems, Inc., solely as nominee for America's Wholesale Lender, its successors and assigns (the "Helms Mortgage") which was recorded on or about August 31, 2004, in Instrument No. 20040831000485550, in the Office of the Judge of Probate of Shelby County, Alabama, and which mortgage was subsequently assigned to Plaintiff Deutsche by assignment of mortgage recorded on or about October 3, 2016, in Instrument No. 20161003000360630, in the Office of the Judge of Probate of Shelby County, Alabama, is reformed to incorporate the following legal description:

Lot 45, according to the survey of High Chaparral, Sector 3, as recorded in Map Book 25, Page 83 A, B, and C, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

(c) That the Helms Mortgage is a validly executed legal instrument and encumbers the Property interest of the Helmses;

(d) That Plaintiff maintains a valid security interest in the Property;

(e) That the Helms Mortgage is a valid first position lien on the Property, prior and superior to any existing liens and/or judgments that may encumber the Property

(f) That Plaintiff is entitled to enforce any and all of its rights, title, and available remedies with respect to the Plaintiff's interest in the Property, including but not limited to, non-judicial foreclosure;

(g) That all the terms and provisions of the Helms Mortgage are to remain in full force and effect; and

(h) that costs are taxed as paid.

Done this 4<sup>th</sup> day of March, 2017.



20170501000149090 3/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
05/01/2017 01:21:14 PM FILED/CERT

*H. F. Lewis*

CIRCUIT COURT JUDGE

**Certified a true and correct copy**

Date: 03-17-17

*Mary H. Harris* *phs*

Mary H. Harris, Circuit Clerk  
Shelby County, Alabama